

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

S.B., by and through his parents, M.B. and L.H; M.S.,	)	
by and through her parent, K.P.; T.W., by and through	)	
his parents, M.W., J.W., and on behalf of those	)	
similarly situated,	)	
Plaintiffs,	)	
	)	
v.	)	No. 3:21-CV-317
	)	
GOVERNOR BILL LEE, in his official capacity	)	
as GOVERNOR OF TENNESSEE, and KNOX	)	
COUNTY, TENNESSEE,	)	
Defendants.	)	

ORDER

Before the Court is Plaintiff's Complaint for Declaratory and Injunctive Relief for violations of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. [Doc. 1]. In their complaint, Plaintiffs seek a temporary restraining order and a preliminary injunction enjoining Tennessee Governor Bill Lee from enforcing Executive Order No. 84 and an injunction requiring Knox County, Tennessee to enforce a mask mandate. [*Id.* at ¶¶ 48, 49].

Under Federal Rule of Civil Procedure 65(b)(1), a court may issue a temporary restraining order if the moving party presents "specific facts in an affidavit or a verified complaint [which] clearly show that immediate an irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition." Plaintiffs have not filed a verified complaint and have failed to attach an affidavit. As such, Plaintiffs have not demonstrated that they would suffer immediate and irreparable injury or loss, and their request for a temporary restraining order must be denied for this reason alone. *See* Fed. R. Civ. P. 65(b)(1)(A). Accordingly, to the extent that Plaintiffs seek a temporary restraining order, that request is DENIED.

The Court hereby notifies the parties that an in-person hearing will be held on the preliminary injunction request on Wednesday, September 15, 2021 at 9:00 a.m. at the James H. Quillen United States Courthouse in Greeneville, Tennessee in Courtroom 400 before the Honorable J. Ronnie Greer.

So ordered.

ENTER:

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s/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE